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FILED
DISTRICT COURT OF GUAM

OCT 18 2006 r^o

MARY L.M. MORAN
CLERK OF COURT

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF GUAM

10 UNITED STATES OF AMERICA,) Case No. CR 05-00053-006

11 Plaintiff-Appellee,)

12 vs.)

13 BRIAN WILLIAM ELM,)

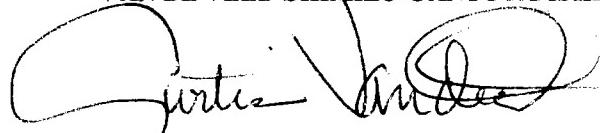
14 Defendant-Appellant.)

15) NOTICE OF APPEAL

16 NOTICE IS HEREBY GIVEN that the Defendant-Appellant BRIAN WILLIAM
17 ELM, through Defendant's court appointed counsel, hereby appeals Defendant-Appellant's
18 conviction and sentence imposed in the above entitled case to the United States Court of
19 Appeals for the Ninth Circuit.
20

21 Respectfully submitted this Wednesday, October 18, 2006.

22 VAN DE VELD SHIMIZU CANTO&FISHER



23
24 CURTIS C. VAN DE VELD, ESQ.
25 Attorney for Defendant-Appellant
BRIAN WILLIAM ELM

ORIGINAL

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2 **CERTIFICATE OF SERVICE**
3

4 I, CURTIS C. VAN DE VELD, certify that I caused a copy of the
5 foregoing document here filed, to be served on counsel for Plaintiff UNITED
6 STATES OF AMERICA on October 18, 2006, via hand delivery at the
7 following address:

8 Ms. Karon V. Johnson, Esq.
9 Assistant U.S. Attorney
10 U.S. Attorney's Office
11 District Of Guam
12 Criminal Division
13 6th Floor, Sirena Plaza
14 108 Hernan Cortes Avenue
15 Hagåtña, Guam 96910

16 Dated: Wednesday, October 18, 2006.

17 VAN DE VELD SHIMIZU CANTO&FISHER



18 CURTIS C. VAN DE VELD, ESQ.
19 *Attorney for Defendant-Appellant*

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23
24 CCV:ccv
25 VSCF/N.M. P.R. CASTRO/CR000609